

## Message Text

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ACTION OES-05

INFO OCT-01 EA-10 ISO-00 L-03 EPA-04 COME-00 CEQ-01 TRSE-00

OMB-01 XMB-04 AID-05 CIAE-00 OFA-01 DODE-00 EB-07

INR-07 IO-10 NSF-02 NSC-05 NSAE-00 PM-03 USIA-15

SS-15 SP-02 FEA-01 /102 W

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P 081100Z JUL 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 1413

UNCLAS TOKYO 9120

DEPT PASS TO COUNCIL ON ENVIRONMENTAL QUALITY AND ENVIRONMENTAL  
PROTECTION AGENCY

E.O. 11652: N/A

TAGS: SENV, JA, US

SUBJECT: DRAFT US-JAPAN AGREEMENT ON ENVIRONMENTAL PROTECTION

REF: (A) STATE 137854, (B) TOKYO 5185, (C) TOKO 5396

1. ON JULY8, FONOFF GAVE EMBOFFS LATEST GOJ DRAFT OF PROPOSED  
ENVIRONMENK AGREEMENT. TEXT FOLLOWS.

BEGIN TEXT:

AGREEMENT BETWEEN THE GOVERNMENT OF JAPAN AND  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
ON COOPERATION IN THE FIELD OF ENVIRONMENTAL PROTECTION  
THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE UNITED  
STATES OF AMERICA,

BELIEVEING THAT COOPERATION BETWEEN THE TWO GOVERNMENTS IS  
OF MUTUAL ADVANTAGE IN COPING WITH SIMILAR PROBLEMS LF  
ENVIRONMENTAL PROTECTION IN EACH COUNTRY AND IS ESSENTIAL IN  
MEETING THE RESPONSIBILITIES OF EACH GOVERNMENT FOR THE  
PROTECTION AND IMPROVEMENT OF THE GLOBAL ENVIRONMENT, AND  
DESIRING TO STRENGTHEN FURTHER SUCH COOPERATION AND TO  
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DEMONSTRATE ITS IMPORTANCE,  
HAVE AGREED AS FOLLOWS:

ARTICLE I

THE TWO GOVERNMENTS WILL MAINTAIN AND PROMOTE COOPERATION IN THE FIELD OF ENVIRONMENTAL PROTECTION ON THE BASIS OF EQUALITY, RECIPROCITY, AND MUTUAL BENEFIT. SUCH COOPERATION MAY TAKE THE FOLLOWING FORMS:

- (A) MEETINGS OF VARIOUS FORMS, PARTICULARLY THOSE OF WORKING-LEVEL EXPERTS TO EXPLORE, DISCUSS, AND EXCHANGE INFORMATION ON TECHNICAL AND OPERATIONAL ASPECTS OF SPECIFIC SUBJECTS AND TO IDENTIFY PROJECTS WHICH MAY BE USEFULLY UNDERTAKEN ON A COOPERATIVE BASIS;
- (B) VISITS AND EXCHANGES OF SCIENTISTS, TECHNICIANS, OR OTHER EXPERTS ON SPECIFIC OR GENERAL SUBJECTS;
- (C) IMPLEMENTATION OF AGREED COOPERATIVE PROJECTS; AND
- (D) EXCHANGE OF INFORMATION AND DATA ON RESEARCH AND DEVELOPMENT ACTIVITIES, POLICIES, PRACTICES, LEGISLATION AND REGULATIONS, AND ANALYSIS OF OPERATING PROGRAMS.

#### ARTICLE 2

A JOINT PLANNING AND COORDINATION COMMITTEE WILL BE ESTABLISHED TO DISCUSS MAJOR ENVIRONMENTAL POLICY ISSUES, TO COORDINATE AND REVIEW ACTIVITIES AND ACCOMPLISHMENTS UNDER THIS AGREEMENT, AND TO MAKE NECESSARY RECOMMENDATIONS TO THE TWO GOVERNMENTS WITH REGARD TO THE IMPLEMENTATION OF THIS AGREEMENT. THE COMMITTEE WILL MEET, AT THE LEVEL OF MINISTERS WHERE APPROPRIATE, AS A RULE ONCE A YEAR ALTERNATELY IN JAPAN AND THE UNITED STATES OF AMERICA.

#### ARTICLE 3

COOPERATION MAY BE UNDERTAKEN IN MUTUALLY AGREED AREAS PERTAINING TO ENVIRONMENTAL PROTECTION AND IMPROVEMENT, SUCH AS:

- (A) POLLUTION ABATEMENT AND CONTROL, WHICH COMPRISE:  
AIR POLLUTION CONTROL INCLUDING CONTROL OF EMISSIONS FROM MOBILE AND STATIONARY SOURCES; WATER POLLUTION CONTROL, INCLUDING MUNICIPAL AND INDUSTRIAL WASTE-WATER TREATMENT; MARINE POLLUTION CONTROL; AGRICULTURAL RUNOFF AND PESTICIDE CONTROL; SOLID WASTE MANAGEMENT AND RESOURCE RECOVERY; CONTROL AND DISPOSAL OF TOXIC SUBSTANCES; NOISE ABATEMENT; SITUATIONS ON UNCLASSIFIED

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HEALTH, BIOLOGICAL, AND GENETIC EFFECTS OF ENVIRONMENTAL DEGRADATION; AND

- (B) OTHER AREAS OF ENVIRONMENTAL PROTECTION AND IMPROVEMENT AS MAY BE AGREED.

#### ARTICLE 4

IMPLEMENTING ARRANGEMENTS SPECIFYING THE DETAILS AND PROCEDURES OF COOPERATIVE ACTIVITIES IN THE AREAS REFERRED TO IN ARTICLE 3 WILL BE MADE BETWEEN THE APPROPRIATE AGENCIES OF THE TWO GOVERNMENTS.

#### ARTICLE 5

THE TWO GOVERNMENTS REAFFIRM THAT THE RECOMMENDATIONS OF INTERNATIONAL ORGANIZATIONS TO WHICH BOTH COUNTRIES ARE PARTIES WILL BE TAKEN INTO ACCOUNT IN FORMULATING THEIR RESPECTIVE ENVIRONMENTAL POLICIES.

ARTICLE 6

1. SCIENTIFIC AND TECHNOLOGICAL INFORMATION OF A NON-PROPRIETARY NATURE ARISING FROM THE COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT MAY BE MADE AVAILABLE TO THE PUBLIC BY EITHER GOVERNMENT THROUGH CUSTOMARY CHANNELS AND IN ACCORDANCE WITH THE NORMAL PROCEDURES OF THE PARTICIPATING AGENCIES.

2. THE DISPOSITION OF PATENTS, DESIGNS, AND OTHER INDUSTRIAL PROPERTY ARISING FROM THE COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT WILL BE PROVIDED FOR IN THE IMPLEMENTING ARRANGEMENTS REFERRED TO IN ARTICLE 4.

ARTICLE 7

NOTHING IN THIS AGREEMENT SHALL BE CONSTRUED TO PREJUDICE OTHER ARRANGEMENTS OR FUTURE ARRANGEMENTS FOR COOPERATION BETWEEN THE TWO GOVERNMENTS.

ARTICLE 8

ACTIVITIES UNDER THIS AGREEMENT SHALL BE SUBJECT TO BUDGETARY APPROPRIATIONS AND TO THE APPLICABLE LAWS AND REGULATIONS OF EACH COUNTRY.

ARTICLE 9

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THE TERMINATION OF THIS AGREEMENT SHALL NOT AFFECT THE COMPLETION OF ANY PROJECT AND PROGRAM UNDERTAKEN IN ACCORDANCE WITH THE IMPLEMENTING ARRANGEMENTS REFERRED TO IN ARTICLE 4 AND NOT FULLY EXECUTED AT THE TIME OF THE TERMINATION OF THIS AGREEMENT.

ARTICLE 10

1. THIS AGREEMENT SHALL ENTER INTO FORCE UPON SIGNATURE AND REMAIN IN FORCE FOR FIVE YEARS.

HOWEVER, EITHER GOVERNMENT MAY AT ANY TIME GIVE NOTICE TO THE OTHER GOVERNMENT OF ITS INTENTION TO TERMINATE THIS AGREEMENT, IN WHICH CASE THIS AGREEMENT WILL TERMINATE SIX MONTHS AFTER SUCH NOTICE HAS BEEN GIVEN.

2. THIS AGREEMENT MAY BE EXTENDED BY MUTUAL AGREEMENT FOR A FURTHER SPECIFIED PERIOD.

DONE AT -----, ON -----, IN DUPLICATE  
IN THE JAPANESE AND ENGLISH LANGUAGES, BOTH BEING EQUALLY  
AUTHENTIC.

FOR THE GOVERNMENT OF      FOR THE GOVERNMENT OF THE  
JAPAN:                      UNITED STATES OF AMERICA:

AGREED MINUTES

THE REPRESENTATIVES OF THE GOVERNMENT OF JAPAN AND OF THE  
GOVERNMENT OF THE UNITED STATES OF AMERICA WISH TO RECORD THE  
FOLLOWING AGREEMENT REACHED DURING THE NEGOTIATIONS FOR THE  
AGREEMENT BETWEEN THE GOVERNMENT OF JAPAN AND THE GOVERNMENT  
OF THE UNITED STATES OF AMERICA ON COOPERATION IN THE FIELD  
OF ENVIRONMENTAL PROTECTION, SIGNED TODAY.

IT IS AGREED THAT, IN IMPLEMENTING THE PROVISIONS OF  
ARTICLE 5 OF THE ABOVE-MENTIONED AGREEMENT, THE TWO GOVERNMENTS  
REAFFIRM THAT THE "GUIDING PRINCIPLES CONCERNING INTERNATIONAL  
ECONOMIC ASPECTS OF ENVIRONMENTAL POLICIES" ADOPTED IN 1972  
AND REAFFIRMED IN 1974 BY THE COUNCIL OF THE ORGANISATION FOR  
ECONOMIC CO-OPERATION AND DEVELOPMENT, AND ANY GUIDING PRINCIPLE  
OR IMPLEMENTING RECOMMENDATION AMENDATORY OR SUPPLEMENTARY  
THERE TO, WILL CONTINUE TO SERVE AS A BASIS FOR THE FORMULATION  
OF THEIR RESPECTIVE ENVIRONMENTAL POLICIES.

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TOKYO (DATE) 1975  
(SIGNATURE) (SIGNATURE)  
END TEXT

2. EMBASSY'S COMMENTS FOLLOW IN SEPTEL.  
HODGSON

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<< END OF DOCUMENT >>

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 26 AUG 1999  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, ENVIRONMENT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 08 JUL 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975TOKYO09120  
**Document Source:** ADS  
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**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** n/a  
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**Office:** ACTION OES  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
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**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 23 APR 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <23 APR 2003 by ThomasVJ>; APPROVED <22 MAR 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** <DBA CORRECTED> mcm 971008  
**Subject:** n/a  
**TAGS:** SENV, JA, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006